

NO. C.A. 16-41077

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUITUNITED STATES GOVERNMENT ET AL indispensable
Plaintiffs, similarly, situated--,
Petitioners-AppellantsUnited States District Court
Southern District of Texas
FILED

OCT 04 2016

David J. Bradley, Clerk of Court

V.

BARACK HUSSEIN OBAMA ET AL onenamedjoinderTor-
teya, ~~iii~~, twonamedmandatoryjoinderOlvera--Defts,
similarly, situated--,
Respondents-Appellees

1:16-CV-119

NOTICE FOR AND APPELLUM DE FELONIA-AGAINST-
RESPONDENTS-APPELLEES, SIMILARLY, SITUATED

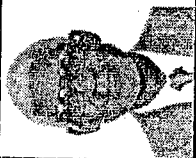
There is self delusioned imperial content assumed by deftsrespondentsAppellees that they have the authority to set-up purjurjurious vexations and spurious criminal acts and activities to intimidate, and contortively, to tamper and shut off PLAINTIFFS from exercising PETITIONERS' RIGHTS to litigate APPELLANTS' 21ST CENTURY CLASSACTION LAWSUIT that is viewed met/meets all required JURISDICTIONS, including linear fortior evidence of SUBJECT MATTER imparted against defendants and their corrupt-criminal ACTIVITIES AND ACTS, THEREBY, CITED BY ARTICLE I, SECTION 9, CLAUSE 3 (in consistent with ordained and established NONDELEGABILITY POWER JURISDICTION OF THE UNITED STATES LEGISLATURE--and by RICO AS BANNED, IMPERIAL, IMMORAL AND UNAMERICAN--VERA, case. Also Appendix A-26 (heinous criminal obstruction of justice); Appendix A-23 et seq., collectively, amounting as concerted actual frauds' proceedings by onenamedIgnacio and twonamed Rolando Olvera, jointly, defendantsRespondents and SPECIAL COUNSEL FOR BARACK HUSSEIN OBAMA JOSEPH ROBINETTE BIDEN-WILLIAM JEFFERSON CLINTON-HILLARY RODAM/HILLARY RODHAMCLINTONS-PARTYDEMOCRATS SUPERDELEGATES FOR RIGGED 2016-ELECTION FIXED BY MISSING EMAIL/PRIVATE UNSECURE(D) SERVER, CLINTONS foundation scandals et al!

WHEREFORE, Petitioning Plaintiffs-Appellants declare they met their obligation answering and filing their litigations in this proceedings, timely, and that said litigants are ready for jurytrial, to present and prove their case 100% beyond preponderance of evidence; and, 1.0milliontime, times, to prove beyond reasonable doubts that defendants are ORGANIZED CRIMINALS ENGAGED INTO IMPERIAL USURPATIONS OF CULT OCHLOCRACY TO UNDO THE UNITED STATES GOVERNMENT ET AL indispensable Plaintiffs-Appellants--innocent citizens and alliedFriends of United States of America. Affidavit, on file; Complaint on file; Exhibits A-23 through Exhibit(s) A-27--The Rights of American Jurisprudence.

THE NOTICE AND FOR APPELLUM DE FELONIA IS EXECUTED IN GOOD FAITH AND SAME IS DISTRIBUTED TO 2016-NONDELEGABILITYPOWER JURISDICTION OF U.S. CONGRESS, in that electors-superdelegates, primary presumptive and presidential nominee ticket of Clinton-Kaine ineligible and moot, instantly-concurrently, for their Email scandalous corruptions and heinous obstructions of JUSTICE.

Dated and signed by: JAMES A-K ARUNGA As, on 09/28/2016

THE DOCTRINE OF SABBATH-SEALED AND EVANGELIC "I SURRENDER ALL" PRAISE TO THE LORD IN THE WORD OF THE HOLY TRINITY;
AND THE WORD OF GOD TO ALL YE PEOPLE OF ALL NATIONS; KEEP THE SABBATH, KEEP THE SABBATH, AND BELIEVE IN IT.
Mzee KAGWA ARUNGAKOTA SAKWASAKWA AKA JAMES AGGREY-KWEGGYRR ARUNGA, SABBATHIAN --- A SERVANT OF THE LORD
KAGWA WAS BORN PREMATURELY AT DAWN DECEMBER 25, 1937 WITH UNMATCHED UNWAVERING STUBBORN MORAL GIFT
TO SERVE HIS CONCERNED-MINISTRY-CALL TO INNOCENT POSTERITY, IN THEIR NEEDS.
THE ELDER JAMES, PRAYER AND PROPHECY OF THE LORD • KENYA BENEVOLENT HUMANITARIAN
POST OFFICE BOX 1344 • SACRAMENTO • CALIFORNIA 95812-1344 • USA • TELEPHONE: 916-424-2715



PART VII. PRACTICE AND PROCEDURE

Rule 29. Filing and Service of Documents; Special Notifications; Corporate Listing

1. Any document required or permitted to be presented to the Court or to a Justice shall be filed with the Clerk.

2. A document is timely filed if it is received by the Clerk within the time specified for filing; or if it is sent to the Clerk through the United States Postal Service by first-class mail (including express or priority mail), postage prepaid, and bears a postmark, other than a commercial postage meter label, showing that the document was mailed on or before the last day for filing; or if it is delivered on or before the last day for filing to a third-party commercial carrier for delivery to the Clerk within 3 calendar days. If submitted by an inmate confined in an institution, a document is timely filed if it is deposited in the institution's internal mail system on or before the last day for filing and is accompanied by a notarized statement or declaration in compliance with 28 U. S. C. § 1746 setting out the date of deposit and stating that first-class postage has been prepaid. If the postmark is missing or not legible, or if the third-party commercial carrier does not provide the date the document was received by the carrier, the Clerk will require the person who sent the document to submit a notarized statement or declaration in compliance with 28 U. S. C. § 1746 setting out the details of the filing and stating that the filing took place on a particular date within the permitted time.

Rule 30. Computation and Extension of Time

1. In the computation of any period of time prescribed or allowed by these Rules, by order of the Court, or by an applicable statute, the day of the act, event, or default from which the designated period begins to run is not included. The last day of the period shall be included, unless it is a Saturday, Sunday, federal legal holiday listed in 5 U. S. C. § 6103, or day on which the Court building is closed by order of the Court or the Chief Justice, in which event the period shall extend until the end of the next day that is not a Saturday,

for the

Plaintiff(s)

V.

Civil Action No.

Defendant(s)

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

No. C.A. 16-41077

EXHIBIT A-25

EX PARTE MOTION-PETITION FOR
ARTICLE I, SECTION 9 ,
CLAUSE 3-JURISDICTIONAL
PEREMPTORY WRIT, DEHORS.

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

DIRECT APPEALS DIVISION

UNITED STATES GOVERNMENT ET AL
Petitioners-Plaintiffs

V.

BARACK HUSSEIN OBAMA ET AL
Respondents-Defendants

NOTICE OF AND PETITIONING PLAINTIFFS' OBJECTION
TO APPENDIX A-25--REPORT AND RECOMMENDATION, BY
ONE SINGLE, DEFTS' SPECIAL COUNSEL IGNACIO TORTEYA.

RE: EXHIBIT A-23: As attached must be perused as Notice of case
filing of D.C.No.1:16-C-119 acknowledging proceeding
without filing fees and other costs of 21stCenturyClas-
s Action Lawsuit, D.C.1:16-cv-00119, dated 06/09/2016.

RE: APPENDIX A-23: As attached is ORDER TO SHOW CAUSE as obstru-
ction of justice expulsion fuse, by magistrate-Special Counsel,
TORTEYA, III, for Obama et al, dated June 14, 2016; lacking edu-
cated judicial merits except to intimidate petitioning VICTIMS.

RE: APPENDIX A-25: As attached is rejected-objected to as nothing but
by a 1974-born obstructionist of justice, lawyer for illegally
organized criminals that occupy United States Government et al
property by corrupt-delusional-imperial usurpatory-political-fi-
nancial FINAGLINGS dated 08/31/2016, Ref. A-25, by Tortoya et al.

WHEREFORE, PETITIONING Plaintiffs amend and delete Donald Trump,
from this proceeding as previously listed party defendant; and list
Ignacio Tortoya, III as amended party defendant in D.C.No.1:16-cv-119
C.A.No.16-41077 to issue EQUITABLE ESTOPPEL QUESTION FOR WRIT OF
NONDELEGABILITY-JURISDICTION POWER BESTOWED UPON UNITED STATES GO-
VERNMENT LEGISLATURE, TO EXPEL, BY MAJORITY VOTE, OBAMA AND HIS IMPE-
RIAL USURPATORY, GUILT OCHLOCRACY-CLAN, FROM THE PROPERTY OF UNITED
STATES COMITY-GOVERNMENT OF DEMOCRACY OF/BY/FOR WE ET AL, VICTIMS.

Dated September 19, 2016, by

JAMES AGGREY-KWEGGYIRR ARUNGA

THE DOCTRINE OF SABBATH-SEALED AND EVANGELIC "I SURRENDER ALL" PRAISE TO THE LORD IN THE WORD OF THE HOLY TRINITY
AND THE WORD OF GOD TO "ALL YE PEOPLE OF ALL NATIONS: KEEP THE SABBATH, KEEP THE SABBATH" AND BELIEVE IN IT.
MZEE KAGWA ARUNGACOTA SAKWASAKWA AKA JAMES AGGREY-KWEGGYIRR ARUNGA, SABBATHIAN --- A SERVANT OF THE LORD
KAGWA WAS BORN PREMATURELY AT DAWN DECEMBER 25, 1937 WITH UNMATCHED UNWAVERING STUBBORN MORAL GIFT
TO SERVE HIS CONCERNED-MINISTRY-CALL TO INNOCENT POSTERITY, IN THEIR NEEDS.
THE ELDER JAMES, PRAYER AND PROPHECY OF THE LORD • KENYA-BENEVOLENT HUMANITARIAN
POST OFFICE BOX 11521, EUGENE, OR 97440 -- 3721.

SUPREME COURT OF THE UNITED STATES ^{exhi}

OFFICE OF THE CLERK
WASHINGTON, DC 20543-0001

EXHIBIT A-24

July 7, 2016

James Aggrey-Kweggyir Arunga
P.O. Box 11521
Eugene, OR 97440-3721

Dear Mr. Arunga:

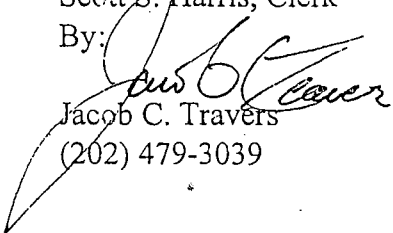
You may seek review of a decision only by filing a timely petition for writ of certiorari. The papers you submitted are not construed to be a petition for writ of certiorari. Should you choose to file a petition for writ of certiorari, you must submit the petition within the 90 day time limit allowed under Rule 13 of the Rules of this Court. A Copy of the Rules of this Court and a sample petition for a writ of certiorari are enclosed.

Your case must first be reviewed by a United States court of appeals or by the highest state court in which a decision could be had. 28 USC 1254 and 1257.

Sincerely,

Scott S. Harris, Clerk

By:


Jacob C. Travers

(202) 479-3039

Enclosures

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

NOTICE OF CASE FILING

Date Case filed: **6/9/2016**

Style of Case: **United States Government, et al.
v.
Barack Hussein Obama, et al.**

Case number: **1:16-cv-00119**

District Judge assigned: **Judge Rolando Olvera**

Magistrate Judge assigned: **Magistrate Judge Ignacio Torteya, III**

Nature of Claim: **Complaint NOS 690**

Your case has been filed as a Complaint.

*Please write or type the civil action number on the front of all letters and documents.
Address all mail to:*

**United States District Clerk's Office
600 E. Harrison Street, Rm. 101
Brownsville, TX 78520**

*The case will be handled in the ordinary course of the Court's work. Writing to the
Court to ask about your case will only SLOW the process.*

Date: June 10, 2016

David J. Bradley, Clerk

By: Balvina Campos, Deputy Clerk

APPENDIX A-26

ENTERED

September 19, 2016

David J. Bradley, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

UNITED STATES GOVERNMENT,
et al.,
Plaintiffs,

v.

BARACK HUSSEIN OBAMA, et al.,
Defendants.

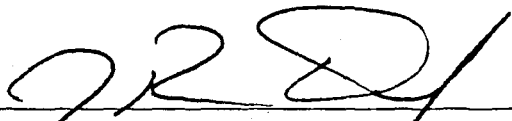
§
§
§
§
§
§
§
§

Civil Action No. 1:16-cv-119

**ORDER ADOPTING MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION**

Before the Court is the Magistrate Judge's Report and Recommendation in the above-referenced cause of action. No objections have been filed. After a de novo review of the file, the Magistrate Judge's Report and Recommendation is **ADOPTED**. It is therefore **ORDERED, ADJUDGED, and DECREED** that Plaintiffs' Complaint is **DISMISSED** with prejudice for lack of subject matter jurisdiction, pursuant to Fed. R. Civ. P. 12(b)(1), and for failure to state a claim upon which relief can be granted, pursuant to Fed. R. Civ. P. 12(b)(6).

Signed on this 19th day of September, 2016


Rolando Olvera
United States District Judge

... Judge Donald D. Thompson attached "a penis pump and operated the pump causing air pumping sounds" according to witness, Lisa Foster, court reporter
www.jurisinformatix.com/judges.../judges_criminal_code_annotation.doc

APPENDIX 23(c)(i)

The notion that judges are immune from criminal prosecution is frivolous. * *Slade v. United States*, 85 F.2d 786 (CA10 1936) (Judge bribed juror to acquit defendant, judge convicted of bribery); *United States v. Manton*, 107 F.2d 834 (CA9 1939) (Court of Appeals judge involved in bribes to influence decisions); *United States v. Kahaner*, 317 F.2d 459 (CA2 1963) (State judge and former AUSAs, *McDonagh v. Alabama*, 57 Ala. App. 529, 329 So.2d 583 (1975), sex for leniency); *United States v. Hastings*, 681 F.2d 706 (CA11 1982) (This was pre-trial appeal, and later Alcee Hastings criminal case); *United States v. Campbell*, 684 F.2d 141 (D.C. Cir. 1982) (traffic ticket judge and gratuity); *United States v. Claiborne*, 765 F.2d 784 (CA9 1985) (see Harbinder v. vindication, *State Bar of Nevada v. Claiborne*, 756 P.2d 464 (Nev. 1988)); *United States v. Murphy*, 768 F.2d 1518 (7th Cir. 1985) (Greylord); *United States v. Conn*, 769 F.2d 420 (CA7 1985) (Greylord); *United States v. Holloway*, 778 F.2d 653 (11th Cir. 1985) (Two Mobile state court judges); *United States v. Devine*, 787 F.2d 1086 (CA7 1985) (Greylord); *United States v. LeFevour*, 798 F.2d 977 (7th Cir. 1986) (Greylord); *United States v. Nixon*, 816 F.2d 1022 (CA5 1987) (habeas corpus at 881 F.2d 1305 (5th Cir. 1989) (District Judge convicted of bribery); *United States v. Holzer*, 816 F.2d 304 (CA7 1985) (Greylord); *United States v. Reynolds*, 821 F.2d 427 (CA7 1987) (Greylord); *United States v. Glecier*, 923 F.2d 496 (CA7 1991) (Greylord); *U.S. v. Lanier*, 520 U.S. 2 (1997); *Archie, et al., v. Lanier*, No.94-5836 (CA6 1996) (constitutional rights violated when state judge repeatedly rapes a number of women in chambers, 18 USC 242 conviction); *State of Oklahoma v. Thompson*, Creek County #CF-2005-016 (M. Aug., Sept. of 2003, three counts indecent exposure, judge Donald D. Thompson attached "a penis pump and operated the pump causing air pumping sounds" according to witness Lisa Foster, court reporter).

FBI gave Clinton aide limited immunity to see laptop

TRIBUNE NEWS SERVICE

WASHINGTON — A former top aide to Hillary Clinton was given limited immunity as part of the FBI's investigation into the use of a private email system so investigators could get access to the staffer's laptop, agency Director James Comey told a Senate committee.

The Justice Department gave Cheryl Mills what's known as "absolute production immunity" as part of its investigation into whether classified information was compromised by Clinton's use of private email, Comey said Tuesday at a hearing of the Senate Homeland Security and Governmental Affairs Committee. Mills served as chief of staff to Clinton when she was secretary of state and continued to represent her as a lawyer during the investigation. Under the agreement, nothing in-

vestigators obtained from the laptop could be used against Mills. Ultimately, the FBI found no evidence that Mills committed a crime.

"The FBI's judgment was we need to get that laptop," Comey said of the latest dispute in the email controversy that has dogged Democrat Clinton's presidential campaign for more than a year.

Republicans led by Rep. Jason Chaffetz, chairman of the House Oversight and Government Reform Committee, have seized on the immunity deal for Mills as a sign the FBI failed to carry out a thorough investigation.

Chaffetz, a Utah Republican, has said "the FBI was handing out immunity agreements like candy" and that he has "lost confidence" in its investigation.

During his debate with Clinton on Monday, Trump invoked the

FBI's immunity agreement, "When you have your Fifth Amendment the Fifth so they're not protecting when you have the man that the illegal server taking that think it's disgraceful."

Clinton said in the debate her use of the private email "was a mistake, and I take responsibility for it."

Republicans at Tuesday's hearing questioned whether anyone for Clinton sought to delete evidence. An employee of Platte Networks, which managed email server after her departure from the State Department, deleted an archive of email. House committee issued a subpoena ordering evidence to be produced.

Comey said the FBI found evidence that anyone obstructed investigation.

3 arrested in robbery of man in his apartment

APPENDIX A-23(c)(ii)

A Eugene resident answered his front door and was allegedly overpowered by a male assailant

BY CHELSEA GORROW
The Register-Guard

Eugene police have arrested three people in connection with the Sept. 9 robbery and assault of a man in his own apartment.

Now, a search warrant affidavit filed in Lane County Circuit Court outlines how detectives were led to the three people who initially fled after the alleged attack.

Dalton Anthony Colwell, 24, of Eugene was arrested Sunday on charges of first-degree burglary, unlawful use of a weapon, menacing, first-degree robbery, second-degree robbery, coercion and second-degree assault.

Jasmine Monique Moreno, 21, of Eugene was arrested Sept. 15 on charges of first-degree robbery and first-degree burglary.

Kinsey Elaine Hart, 20, of Springfield was arrested Sept. 14 on charges of first-degree robbery, first-degree burglary and second-degree robbery.

The robbery allegedly occurred at the Stadium Park apartments.

According to the affidavit, the victim told police he had used heroin the day of the alleged robbery, a couple of hours before Hart arrived at his apartment; he reportedly asked her to leave.

Moments later, Moreno allegedly knocked on his door, and when he opened the door for her, the victim told detectives that a male he didn't know — later identified as Colwell — forced his way inside the apart-



Dalton
Colwell



Kinsey
Hart



Jasmine
Moreno

Robbery: Police spot suspects in robbery 5 days later

Continued from Page B1

ment, held him at gunpoint, hit him on the head with the gun and forced him to lie on his stomach.

The affidavit stated that while Colwell kept the gun trained on the victim, Hart and Moreno rummaged through the apartment, stole cash and left.

Five days later, on Sept. 14, while detectives were searching for Hart, an officer spotted her car at an apartment complex on 17th Street in Springfield, the affidavit noted.

As the officer watched the car, Hart walked toward her vehicle with her 3-year-old son, Colwell, and another woman, who was not a part of the robbery, police said. The four people, including the child, got into the car and drove away. Colwell was carrying a backpack.

Police pulled the car over; Hart was behind the wheel, and an officer asked her to step out so he could speak with her privately. The affidavit stated that the officer noticed several pieces of folded tin foil in the driver's side door slot that resembled the kind used to smoke heroin.

According to the affidavit, Hart told the officer that her passenger, Colwell, was "her man," and that the foils were his. She reportedly stated that she is a regular user of methamphetamine and had smoked within the

The affidavit noted that Colwell was not cooperative, denying that the backpack was his. He was allowed to leave, but police obtained a search warrant for the backpack that Colwell had left behind, noting in court documents seeking the warrant that the backpack was suspected of containing the gun used in the robbery.

Police said they found a pistol in the backpack, as well as Lane County Sheriff's alternative programs paperwork and mail addressed to Colwell, according to court records.

Colwell has since pleaded not guilty to all charges, according to court records. His next scheduled court appearance is a pretrial conference set for Oct. 31.

It does not appear that Hart has entered any pleas to the charges against her. Hart's pretrial conference is scheduled for Oct. 24.

Moreno entered not guilty pleas to the charges against her, court records show. Her next court appearance also is scheduled for Oct. 24.

James A-K Arunga Arunga & Lee
Post Office Box 11521
Eugene, OR 97440-3721

CLERK
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
REYNALDO G. GARZA - FILEMON B. VELA
UNITED STATES COURTHOUSE
600 E. HARRISON STREET #101
BROWNSVILLE, TEXAS 78520-7114



1000



78520

U.S. POSTAGE
PAID
SPRINGFIELD, OR
97477
SEP 28, 16
AMOUNT
\$0.68
R2305M148144-11

OCT 02 2015

RECEIVED
David L. Bradley, Clerk of Court